

14230 U.S. PTO
09/05/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Docket No. 08822-0066 C11(188087)

Anticipated Classification of this application:

Class _____ Subclass _____

Prior application:

Examiner: John W. Zerr

Art Unit: 3644

Mail Stop Patent Application

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

17858 U.S. PTO
10/656307
09/05/03

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

This is a request for filing under the continuing application procedure, 37 CFR 1.53(b), for a

☐ Continuation

☐ Divisional

☒ Continuation-in-part

application.

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.10**

EXPRESS MAIL Mailing Label Number: EV 330478708 US

Date of Deposit: 9/5/03

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL - POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, on the date indicated above, and addressed to: Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Jackie Williams
Signature of person mailing paper

Jackie Williams
Type or print name of person

Particulars of Prior Application

A. Application Serial No. 10/090,810, filed March 6, 2002

B. Title COMPRESSED GAS-POWERED PROJECTILE ACCELERATOR

C. For *

1. Copy of Application

The copy of the papers of the prior application which are attached are as follows:

[X] 61 page(s) of specification

[X] 21 page(s) of claims

[X] 1 page(s) of abstract

[X] 44 sheet(s) of drawing

(Also complete part 7 below if drawings are to be transferred)

[X] 2 pages of declaration and power of attorney (unexecuted)

2. Amendments

[] Cancel in this application original claims ____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

[] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

(check the next item, if applicable)

[] There is provided herein a Petition To Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently).

4. Information Disclosure Statement

(check this item, if applicable)

[] An information disclosure statement is submitted herewith.

5. Fee Calculation (37 CFR 1.16)

CLAIMS FOR FEE CALCULATION			
Number filed	Number	Extra Rate	Basic Filing Fee = \$750.00
Total Claims (37 C.F.R. 1.16(c))	71-20=51	x \$ 18.00	\$ 918.00
Independent Claims (37 C.F.R. 1.16(b))	5-3=2	x \$ 84.00	\$ 168.00
Multiple Dependent Claims(s), if any (37 C.F.R. 1.16(d))		\$280.00	\$

☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation

\$ 1836.00

6. Small Entity Status

☒ The Applicant is a small entity:

Filing fee calculation (50% of above) \$ 918.00

7. Drawings

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file. *(May only be used if signed by (1) applicant, (2) assignee of record or (3) attorney or agent of record authorized by 37 CFR 1.138 and before payment of issue fee.)*

☐ Transfer the following sheet(s) of drawing from the prior application to this application _____.

☐ A copy of the amendment canceling these sheets of drawing in the prior application is attached.

☒ New drawings are enclosed

☒ formal

☐ informal

8. Priority -- 35 U.S.C. 119

- ☐ Priority of application Serial No. ____ filed on ____ in ____ is claimed under 35 U.S.C. 119.
- ☐ The certified copy has been filed in prior U.S. application Serial No..
- ☐ The certified copy will follow.

9. Relate Back -- 35 U.S.C. 120

- ☐ Amend the specification by inserting before the first line in the specification: "This is a
- ☐ continuation
- ☐ divisional
- ☒ continuation-in-part
- of copending application(s)
- ☒ Serial No. 10/090,810 filed on March 6, 2002
- ☐ International Application _____ filed on _____ and which designated the U.S
- which is incorporated herein by reference in its entirety."

10. Inventorship Statement

(complete appropriate items (a) and (b))

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are):
- ☐ the same
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

(Type name(s) of inventor(s) to be deleted)

- (b) The inventorship for all the claims in this application are
- ☒ the same
- ☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

11. Assignment

- [X] The prior application is assigned of record to
National Paintball Supply, Inc.
- [X] The prior assignment was filed with the PTO on July 23, 2003, Reel , Frames and
included assignment of all continuation and divisional applications in and to the invention.
- [] An assignment of the invention to
is attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT
APPLICATION" is also attached.

12. Fee Payment Being Made At this Time

- ☐ Not Enclosed
- ☐ No filing fee is submitted. *(This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently).*
- ☒ Enclosed
- | | |
|---|------------------|
| <input checked="" type="checkbox"/> basic filing fee | \$ <u>918.00</u> |
| <input type="checkbox"/> recording assignment
(\$40.00; 37 CFR 1.21(h)) | \$ _____ |
| <input type="checkbox"/> processing and retention fee
(\$130.00; 37 CFR 1.53(b) and 1.21(l)) | \$ _____ |
| Total fees enclosed | \$ _____ |

13. Method of Payment of Fees

- [X] enclosed is a check in the amount of \$ 918.00
- [] charge Account No. 50-0573 in the amount of \$. A duplicate of this request is attached.

14. Authorization To Charge Additional Fees

- ☒ The Director is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 50-0573.
- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).
- ☒ Please credit any overpayment with respect to the application to Deposit No. 50-0573.

15. Power of Attorney

The power of attorney in the prior application is to
Arthur H. Seidel, Reg. No. 15,979; Gregory J. Lavorgna, Reg. No. 30,469; Daniel A. Monaco, Reg. No. 30,480; Thomas J. Durling, Reg. No. 31,349; John J. Marshall, Reg. No. 29,671; Joseph R. DelMaster, Jr., Registration No. 38,123; Robert E. Cannuscio, Registration No. 36,469; and George A. Frank 26,708

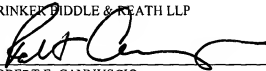
- a. ☐ The power appears in the original papers in the prior application.
- b. ☐ The power does not appear in the original papers, but was filed on July 23, 2003.
- c. ☒ A new power has been executed and is attached.

Address all future communications to:

Robert E. Cannuscio
Reg. No. 36,469
Drinker Biddle & Reath LLP
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103-6996

DRINKER BIDDLE & REATH LLP

Date: 9/5/03



ROBERT E. CANNUSCIO
Reg. No. 36,469
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103-6996
Tel: (215) 988-2700
Fax: (215) 988-2757
Attorney of record